

**EIGHTY-FOURTH GENERAL ASSEMBLY  
2012 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET**

MARCH 29, 2012

**HOUSE FILE 2292**

**H-8382**

1 Amend the Senate amendment, H-8370, to House File  
2 2292, as passed by the House, as follows:  
3 1. Page 1, line 9, by striking <412> and inserting  
4 <451>  
5 2. By renumbering as necessary.  
By HEIN of Jones

**H-8382** FILED MARCH 28, 2012

**HOUSE FILE 2435**

**H-8381**

1 Amend House File 2435 as follows:  
2 1. Page 14, line 15, by striking <2,540,489> and  
3 inserting <2,645,489>  
4 2. Page 14, line 31, by striking <\$436,582> and  
5 inserting <\$541,582>  
By HALL of Woodbury

**H-8381** FILED MARCH 28, 2012

HOUSE FILE 2439

H-8383

1 Amend House File 2439 as follows:  
2 1. Page 1, after line 12 by inserting:  
3 <Sec. \_\_\_\_\_. Section 423.2, subsection 4, paragraph  
4 b, Code Supplement 2011, is amended to read as follows:  
5 b. The tax imposed under this subsection covers  
6 the total amount from the operation of games of skill,  
7 games of chance, and raffles, and~~bingo games~~ as  
8 defined in chapter 99B, card game tournaments conducted  
9 under section 99B.7B, and musical devices, weighing  
10 machines, shooting galleries, billiard and pool tables,  
11 bowling alleys, pinball machines, slot-operated devices  
12 selling merchandise not subject to the general sales  
13 taxes and on the total amount from devices or systems  
14 where prizes are in any manner awarded to patrons and  
15 upon the receipts from fees charged for participation  
16 in any game or other form of amusement, and generally  
17 upon the sales price from any source of amusement  
18 operated for profit, not specified in this section, and  
19 upon the sales price from which tax is not collected  
20 for tickets or admission, but tax shall not be imposed  
21 upon any activity exempt from sales tax under section  
22 423.3, subsection 78, or upon amounts received from the  
23 operation of bingo games by a qualified organization in  
24 accordance with section 99B.7. Every person receiving  
25 any sales price from the sources described in this  
26 section is subject to all provisions of this subchapter  
27 relating to retail sales tax and other provisions of  
28 this chapter as applicable.>  
29 2. Title page, by striking line 3 and inserting  
30 <for resale and by creating sales tax exemptions for  
31 amounts received from the operation of certain bingo  
32 games and for certain>  
33 3. By renumbering as necessary.

By ISENHART of Dubuque  
LUKAN of Dubuque

H-8383 FILED MARCH 28, 2012

HOUSE FILE 2455

H-8380

1 Amend House File 2455 as follows:  
2 1. Page 3, by striking lines 19 and 20 and  
3 inserting <for the following fiscal year for the  
4 purposes authorized in this subsection.>

By BALTIMORE of Boone

H-8380 FILED MARCH 28, 2012

SENATE FILE 2295

H-8385

1 Amend the amendment, H-8271, to Senate File 2295, as  
2 passed by the Senate, as follows:

3 1. Page 1, line 23, by striking <twenty> and  
4 inserting <thirty>

By R. OLSON of Polk

H-8385 FILED MARCH 28, 2012

SENATE FILE 2295

H-8386

1 Amend the amendment, H-8271, to Senate File 2295, as  
2 passed by the Senate, as follows:

3 1. Page 2, after line 6 by inserting:  
4 <Sec. \_\_\_\_\_. APPLICABILITY. The amendment to section  
5 614.8A of this Act applies to sexual abuse occurring  
6 on or after July 1, 2012.>>

7 2. By renumbering as necessary.

By R. OLSON of Polk

H-8386 FILED MARCH 28, 2012

SENATE FILE 2311

H-8384

1 Amend Senate File 2311, as passed by the Senate, as  
2 follows:

3 1. Page 1, line 9, after <industries> by inserting  
4 <, including the promotion of recycling and bottle  
5 deposit programs which protect precious agricultural  
6 resources>

7 2. Page 2, after line 27 by inserting:

8 <DIVISION \_\_\_\_\_

9 AGRICULTURAL RESOURCES

10 Sec. \_\_\_\_\_. AGRICULTURAL RESOURCES ---- PLASTIC BOTTLES  
11 CONTAINING NONCARBONATED BEVERAGES. The general  
12 assembly finds and declares all of the following:

13 1. The consumer use of plastic bottles containing  
14 noncarbonated beverages has grown significantly since  
15 the enactment of this state's popular and highly  
16 successful bottle deposit law, codified in chapter  
17 455C.

18 2. The failure to include plastic bottles  
19 containing noncarbonated beverages in this state's  
20 popular and highly successful bottle deposit law has  
21 substantially and negatively affected agriculture in  
22 this state, by increasing litter in ditches, fields,  
23 pastures, rivers, lakes, and streams.

24 3. The inclusion of plastic bottles containing  
25 noncarbonated beverages in this state's popular and  
26 highly successful bottle deposit law would positively  
27 impact agriculture in this state and would protect  
28 precious agricultural resources.

29 Sec. \_\_\_\_\_. Section 455C.1, subsections 1 and 2, Code  
30 Supplement 2011, are amended to read as follows:

31 1. "Beverage" ~~means~~ includes but is not limited  
32 to wine as defined in section 123.3, subsection  
33 47, alcoholic liquor as defined in section 123.3,  
34 subsection 5, and beer all as defined in section 123.3,  
35 subsection 7, mineral water, soda water and similar  
36 carbonated soft drinks and any nonalcoholic carbonated  
37 and noncarbonated drinks, in liquid form and intended  
38 for human consumption. "Beverage" does not include any  
39 of the following:

40 a. Fruit and vegetable juice and drink products.

41 b. Grade 'A' milk and milk products as specified in  
42 the grade 'A' pasteurized milk ordinance, as provided  
43 in section 192.102.

44 c. A liquid that is any of the following:

45 (1) A syrup.

46 (2) In a concentrated form.

47 (3) Typically added as a minor flavoring ingredient  
48 in food or drink, such as extracts, cooking additives,  
49 saucers, or condiments.

50 d. A liquid that is ingested in very small

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1 quantities and consumed for medicinal purposes only.  
2 e. A liquid that is designed and consumed only as a  
3 nutritional supplement, as defined by the department,  
4 and not as a beverage.  
5 f. Products frozen at the time of sale to the  
6 consumer, or, in the case of institutional users such  
7 as hospitals and nursing homes, at the time of sale to  
8 such users.  
9 g. Products designed to be consumed in a frozen  
10 state.  
11 h. Instant drink powders.  
12 i. Seafood, meat, or vegetable broths or soups.  
13 j. Farm-produced apple cider that has not been  
14 heated, pasteurized, or otherwise processed.  
15 k. Infant formula.  
16 2. "Beverage container" means any sealed glass,  
17 plastic, or metal bottle, can, jar, or carton  
18 containing a beverage. "Beverage container" does not  
19 include any of the following:  
20 a. A bottle, can, jar, or carton of three liters or  
21 more in size containing a noncarbonated beverage.  
22 b. A bottle, can, jar, or carton made of  
23 high-density polyethylene.  
24 Sec. \_\_\_\_\_. Section 455C.2, subsection 2, Code 2011,  
25 is amended to read as follows:  
26 2. In addition to the refund value provided in  
27 subsection 1 ~~of this section~~, a dealer, or person  
28 operating a redemption center who redeems empty  
29 beverage containers or a dealer agent shall be  
30 reimbursed by the distributor required to accept the  
31 empty beverage containers an amount which is one cent  
32 per container. However, the distributor shall provide  
33 an additional one cent reimbursement for each beverage  
34 container made of plastic. A dealer, dealer agent, or  
35 person operating a redemption center may compact empty  
36 metal beverage containers with the approval of the  
37 distributor required to accept the containers.>  
38 3. Title page, line 9, after <measures,> by  
39 inserting <regulating beverage containers,>  
40 4. By renumbering, redesignating, and correcting  
41 internal references as necessary.

By WITTNEBEN of Emmet

SENATE FILE 2316

H-8378

1 Amend the amendment, H-8328, to Senate File 2316,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 1, after line 19 by inserting:

5 <c. For projects relating to routine maintenance  
6 of buildings, including recurring, preventive, and  
7 on-going maintenance of building systems and equipment:

8 FY 2012-2013..... \$ 3,000,000>

9 2. Page 7, line 1, by striking <paragraph c, is>  
10 and inserting <paragraphs c through e, are>

11 3. Page 7, after line 17 by inserting:

12 <d. For construction, renovation, and related  
13 improvements for phase II of the agricultural and  
14 biosystems engineering complex, including classrooms,  
15 laboratories, and offices at Iowa state university of  
16 science and technology:

17 FY 2011-2012..... \$ 1,000,000

18 FY 2012-2013..... \$ ~~20,800,000~~

19 19,300,000

20 FY 2013-2014..... \$ ~~20,000,000~~

21 21,500,000

22 FY 2014-2015..... \$ 18,600,000

23 e. For the renovation and related improvements to  
24 the dental science building at the state university  
25 of Iowa including but not limited to renovation of  
26 clinical spaces and development of a multidisciplinary  
27 clinical area:

28 FY 2011-2012..... \$ 1,000,000

29 FY 2012-2013..... \$ ~~12,000,000~~

30 10,500,000

31 FY 2013-2014..... \$ ~~8,000,000~~

32 9,500,000

33 FY 2014-2015..... \$ 8,000,000>

34 4. Page 8, after line 26 by inserting:

35 <Sec. \_\_\_\_\_. Section 8.57, subsection 6, paragraph c,  
36 Code Supplement 2011, is amended to read as follows:

37 c. Moneys in the fund in a fiscal year shall be  
38 used as directed by the general assembly for public  
39 vertical infrastructure projects. For the purposes of  
40 this subsection, "vertical infrastructure" includes only  
41 land acquisition and construction; routine maintenance  
42 of buildings, including recurring, preventive, and  
43 on-going maintenance of building systems and equipment;  
44 major renovation and major repair of buildings; all  
45 appurtenant structures; utilities; site development;  
46 recreational trails; and debt service payments on  
47 academic revenue bonds issued in accordance with  
48 chapter 262A for capital projects at board of regents  
49 institutions. "Vertical infrastructure" does not  
50 include routine, recurring maintenance or operational

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1 expenses or leasing of a building, appurtenant  
2 structure, or utility without a lease-purchase  
3 agreement.>

4 5. By renumbering as necessary.

**By** COHOON of Des Moines

**H-8378** FILED MARCH 28, 2012

**SENATE FILE 2316**

**H-8379**

1 Amend the amendment, H-8328, to Senate File 2316,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 1, line 15, by striking <20,000,000> and  
5 inserting <18,500,000>

6 2. Page 2, after line 21 by inserting:

7 <\_\_\_\_. DEPARTMENT OF MANAGEMENT

8 For interest free loans to counties for basic  
9 equipment, hardware, and software necessary to  
10 implement the precinct atlas program and technology for  
11 election administration, notwithstanding section 8.57,  
12 subsection 6, paragraph "c":

13 FY 2012-2013..... \$ 1,500,000

14 FY 2013-2014..... \$ 1,500,000>

15 3. By renumbering as necessary.

**By** ISENHART of Dubuque

STECKMAN of Cerro Gordo

**H-8379** FILED MARCH 28, 2012

# Fiscal Note

Fiscal Services Division



**HF 2448** – Substance Abuse Treatment Facility Sales Tax Exempt (LSB 5489HV)  
Analyst: Shawn Snyder (Phone: 515-281-7799) ([shawn.snyder@legis.state.ia.us](mailto:shawn.snyder@legis.state.ia.us))  
Fiscal Note Version – New

## Description

**House File 2448** provides a sales tax exemption for the sales price of tangible personal property and services sold to a substance abuse treatment facility that receives block grant funding from the Iowa Department of Public Health.

## Assumptions

- The Department of Public Health has indicated that there are currently 23 substance abuse programs that will be eligible for the sales tax exemption.
- Of those 23, nine are currently exempt from paying sales tax. The remaining 14 programs are estimated to have paid a total of approximately \$335,000 in sales tax in FY 2011.
- The Department of Revenue has provided taxable sales growth rates of 3.7%, in FY 2012, 3.4% in FY 2013, 3.7% in FY 2014, and 4.4% in FY 2015.
- The estimate assumes no other substance abuse programs in the State will be eligible to receive the sales tax exemption.
- An average statewide local option sales tax (LOST) rate of 0.87% is used to measure the total impact on the LOST revenue.

## Fiscal Impact

The estimated fiscal impact of **HF 2448** will be a reduction in State sales tax revenue of approximately \$359,000 in FY 2013, \$372,000 in FY 2014, and \$389,000 in FY 2015. This will decrease General Fund revenue by approximately \$300,000, Secure an Advanced Vision for Education (SAVE) by \$60,000, and LOST revenue by \$50,000 beginning in FY 2013. The following table provides the estimated fiscal impact for FY 2013 through FY 2015.

Estimated Change in Revenues					
	Total State Sales Tax	General Fund	SAVE	LOST	
FY 2013	\$ -359,206	\$ -299,339	\$ -59,868	\$ -52,085	
FY 2014	-372,497	-310,414	-62,083	-54,012	
FY 2015	-388,887	-324,072	-64,814	-56,389	
SAVE = Secure an Advanced Vision for Education					
LOST = Local Option Sales Tax					

## Sources

Iowa Department of Public Health  
Iowa Department of Revenue  
LSA Analysis and Calculations

/s/ Holly M. Lyons

March 28, 2012

The fiscal note for this bill was prepared pursuant to **Joint Rule 17**. Data used in developing this fiscal note, including correctional and minority impact information, is available from the Fiscal Services Division of the Legislative Services Agency upon request.





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**SF 451** – School Dropout Prevention (LSB 1558H8368)

Analyst: Shawn Snyder (Phone: 515-281-7799) ([shawn.snyder@legis.state.ia.us](mailto:shawn.snyder@legis.state.ia.us))

Fiscal Note Version – Amendment **H-8339** as amended by **H-8368**

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### **Description**

Amendment **H-8339** as amended by **H-8368** changes the requirement that school districts use the FY 2012 modified allowable growth (MAG) ratio (amount of modified allowable growth requested as a ratio to the district total regular program cost) to the maximum ratio the school district had between FY 2010 and FY 2012 for restrictions on MAG funding for the Returning Dropout and Dropout Prevention Program. However, a district with a ratio below 2.5% could request a MAG up to a ratio of 2.5%.

### **Assumptions**

- Of the 351 school districts, 60 school districts have a maximum ratio below 2.5% between FY 2010 and FY 2012, including 20 districts with a ratio of 0.0%. The remaining 291 districts had a maximum ratio between 2.5% and 5.0% between FY 2010 and FY 2012, including 39 with a ratio of 5.0% (the maximum ratio under current law).
- Freezing the ratio of MAG a school district can request to the maximum ratio between FY 2010 through FY 2012, or 2.5%, whichever is greater, will reduce the MAG capacity from \$142.2 million to \$120.1 million, a reduction of \$22.1 million (based on FY 2012 data). The freeze will not occur until FY 2014.
- The 60 districts that were below the 2.5% ratio level between FY 2010 and FY 2012 will generate \$5.9 million for MAG for the Dropout and Dropout Prevention Program based on their maximum ratio between FY 2010 and FY 2012. Based on the FY 2012 data, at the 2.5% ratio level, the total will increase to \$9.9 million. However, compared to current law, capping the maximum ratio for these 60 districts will reduce the remaining MAG capacity for these districts from \$19.7 million to \$9.9 million, a reduction of \$9.8 million.
- The 291 districts that were at or above the 2.5% ratio level between FY 2010 and FY 2012 will generate \$110.2 million for MAG for the Dropout and Dropout Prevention Program. Capping the maximum ratio for these 291 districts will reduce the remaining MAG capacity for these districts from \$122.5 million to \$110.2 million, a reduction of \$12.3 million.
- In FY 2011, the restricted ending fund balance reserved for the Dropout and Dropout Prevention Program totaled \$23.1 million. These funds will be available for use in future fiscal years and will limit the amount of MAG requested by a like amount.

### **Fiscal Impact**

There is no State General Fund impact as a result of the House Amendment **H-8368**. The impact on school district property tax amounts are unknown and may vary between districts. Although the amendment allows for expanded uses of the Program funds, school districts will either be capped at the highest ratio between FY 2010 through FY 2012, or the 2.5% ratio, whichever is greater. In future fiscal years, any increases in MAG for the Returning Dropout and Dropout Prevention Program will likely be the result of future allowable growth rates and/or increased enrollments for individual school districts.

**Sources**

Iowa Department of Management, School Aid file  
LSA analysis and calculations

/s/ Holly M. Lyons

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March 28, 2012

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The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#). Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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